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UNCLASSIFIED PTQ6864

PAGE 01 ADDIS 00798 01 OF 08 011151Z
ACTION PRM-10

INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
TEDE-00 IO-14 ADS-00 SR-00 FMP-00 /030W
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TO SECSTATE WASHDC PRIORITY 0718
INFO RWANDA COLLECTIVE PRIORITY

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DEPT FOR PRM AND AF

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GENEVA FOR RMA

ROME FOR FODAG

NAIROBI FOR REFCOORD

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SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

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UNCLASSIFIED

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PAGE 02 ADDIS 00798 01 OF 08 011151Z
SUMMARY

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1. THE PREPARATORY COMMITTEE FOR THE RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE MET IN ADDIS ABABA ON JANUARY 31. THE BUJUMBURA CONFERENCE WILL BE A LARGE INTERNATIONAL EVENT, WITH AS MANY AS 350 PARTICIPANTS ATTENDING FROM THE APPROXIMATELY 79 DELEGATIONS TO BE INVITED. CONFERENCE DATES ARE FIRM: FEBRUARY 12-14 FOR THE TECHNICAL MEETING, FEBRUARY 15-17 FOR THE MINISTERIAL-LEVEL, PLENARY SESSION, AND FEBRUARY 18 FOR THE REGIONAL HEADS OF STATE SUMMIT. UNHCR HAS SUBMITTED A DRAFT PLAN OF ACTION AND PROGRAM OF ASSISTANCE TO THE PREPCOM. THIS WILL BE REVIEWED AND REDRAFTED BY A SUB-COMMITTEE FOR RESUBMISSION TO THE PREPCOM IN ADDIS ABABA ON FEBRUARY 6. AS INSTRUCTED REFTEL, U.S. REPRESENTATIVE AT THE PREPCOM MEETING INITIATED SUPPORT FOR THE RWANDAN REQUEST TO SEPARATE RWANDA ISSUES FROM THOSE OF BURUNDI. SEPARATE DEMARCHES WERE MADE TO OAU AND UNHCR ON THIS ISSUE. END SUMMARY.

JANUARY 31 PREPCOM WORKING GROUP

2. THE WORKING GROUP OF THE RWANDA/BURUNDI CONFERENCE PREPARATORY COMMITTEE MET ON JANUARY 31. UNHCR GENEVA REPRESENTATIVE BLAISE CHERIF AND OAU ASSISTANT SECRETARY GENERAL MAPURANGA CO-CHAIRLED THE
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PAGE 03 ADDIS 00798 01 OF 08 011151Z
MEETING, WHICH INCLUDED ADDIS RESIDENT AMBASSADORS FROM BURUNDI, ZAIRE, ZAMBIA, FRANCE, BELGIUM, AND TUNISIA AND EMBASSY REPRESENTATIVES FROM CANADA, THE NETHERLANDS, TANZANIA, RWANDA, UGANDA AND THE U.S. (REPRESENTED BY REFCOORD). A DELEGATE OF THE TRANSITIONAL GOVERNMENT OF ETHIOPIA, AN ICRC REPRESENTATIVE AND ADDITIONAL UNHCR AND OAU OFFICIALS ALSO ATTENDED. THE ORIGINAL PURPOSE OF THE MEETING WAS TO REVIEW AND DISCUSS AN OAU/UNHCR DRAFT PLAN OF ACTION AND PROGRAM OF ASSISTANCE. AS

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NONE OF THE COUNTRIES OF THE REGION HAD SUBMITTED INPUT, THE OAU AND UNHCR DID NOT HAVE A DRAFT READY FOR THE COMMITTEE; BELGIUM, CANADA, AND SWEDEN PROVIDED THE ONLY INPUT. UNHCR DID RECEIVE A FAXED UNHCR DRAFT PLAN OF ACTION FROM GENEVA JUST PRIOR TO ADJOURNMENT OF THE MEETING. THE UNHCR PLAN IS INCLUDED IN A LATER PARAGRAPH OF THIS MESSAGE.

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3. THE PREPCOM WORKING GROUP DECIDED TO CONSTITUTE A SMALLER DRAFTING COMMITTEE CONSISTING OF OAU, UNHCR, RWANDA, BURUNDI, ZAIRE, TANZANIA, UGANDA, AND BELGIUM (REPRESENTING THE DONORS) TO REWORK THE UNHCR DOCUMENT. THIS SUB-COMMITTEE WILL TAKE INTO ACCOUNT ANY ADDITIONAL SUBMISSIONS OR COMMENTS FROM COMMITTEE MEMBERS. THE WORKING GROUP WILL MEET AGAIN ON FEBRUARY 6 TO FINALIZE THE DRAFT DOCUMENT. THIS DOCUMENT WILL AGAIN BE REVIEWED AND DISCUSSED DURING A PREPCOM "EXPERTS" MEETING IN BUJUMBURA 12-14 FEBRUARY. THE BUJUMBURA TECHNICAL SESSION WILL BE AN ENLARGED PREPCOM, WHICH WILL INCLUDE TECHNICAL EXPERTS FROM THE CAPITALS OF THE RWANDA/BURUNDI

UNCLASSIFIED

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PAGE 04 ADDIS 00798 01 OF 08 011151Z
REGION. ACCORDING TO THE OAU, SUNDAY, FEBRUARY 12
WILL PROBABLY BE SCHEDULED AS A DAY FOR DELEGATES TO
TOUR BUJUMBURA AND MEET INFORMALLY WITH OTHER
PARTICIPANTS, AND PREPCOM SESSIONS WILL BEGIN
MONDAY, FEBRUARY 13. HOWEVER, THE ISSUE OF SUNDAY
SESSIONS HAS STILL NOT BEEN DEFINITELY RESOLVED.

AGENDA ISSUE RE: RWANDAN VIEWS

4. U.S. REP MADE A STRONG PITCH TO THE PREPCOM, PER
DEPT INSTRUCTIONS (REFTEL), REGARDING THE NEED TO
ACCOMMODATE RWANDAN CONCERNS OVER THE COMMINGLING OF
RWANDAN AND BURUNDIAN ISSUES ON THE AGENDA; REP
EXPRESSED U.S. SUPPORT FOR AGENDA CHANGES WHICH
WOULD PERMIT THE RWANDANS TO REMAIN FULLY COMMITTED
PARTNERS IN THE CONFERENCE DELIBERATIONS. THERE WAS
CONSIDERABLE RESISTANCE TO THE U.S. STATEMENT FROM

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BURUNDI, UGANDA, AND THE OAU (AND GRIMACES FROM THE

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PAGE 01 ADDIS 00798 02 OF 08 011151Z
ACTION PRM-10

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SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

FRENCH, BELGIAN, AND DUTCH REPRESENTATIVES). U.S.
REP ASKED FOR A POSITION STATEMENT FROM THE NEWLY
ARRIVED RWANDAN REPRESENTATIVE TO THE PREPCOM,

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PAGE 02 ADDIS 00798 02 OF 08 011151Z
RWANDAN EMBASSY FIRST COUNSELLOR ZENO MUTIMURA.

5. MUTIMURA, WHO HAD NOT SPOKEN UNTIL THIS MOMENT, THANKED THE U.S. FOR RAISING THIS ISSUE AND FOR THE SUPPORT, THANKED THE OAU AND ITS AFRICAN MEMBERS FOR THEIR SUPPORT, THEN READ FROM A TWO PAGE PREPARED STATEMENT. THE STATEMENT WAS POSITIVE: AFTER SUFFERING GENOCIDE RWANDA WANTS TO RESTORE THE COUNTRY, PURSUE RECONCILIATION AND RECONSTRUCTION, FOSTER PEACE. RWANDA WANTS DIALOGUE AND SOLIDARITY WITH ITS NEIGHBORS AND DONORS. IT FAVORS SPEEDY REPATRIATION OF REFUGEES. BUT, RWANDA NEEDS HELP AND TIME TO SOLVE ITS PROBLEMS OF GOVERNMENT, LAW, SCHOOLS, SECURITY. MUTIMURA THEN GAVE A BREAKDOWN OF THE NUMBER OF SEATS IN THE RWANDAN PARLIAMENT HELD BY DIFFERENT GROUPS AND PARTIES, APPARENTLY AN EFFORT TO CONVEY THAT RWANDA IS ATTEMPTING TO INCLUDE A BROAD SLICE OF SOCIETY IN GOVERNMENT. HE SAID THE THREE MAIN OBJECTIVES OF THE RWANDAN GOVERNMENT ARE: (1) TO LIBERATE THE REFUGEES FROM THE INTERAHAMWE (2) ASSISTANCE TO REFUGEES AND (HE EMPHASIZED) RETURNEES AND (3) RECONSTRUCTION OF RWANDA. HERE HE THANKED STATES MEMBER TO THE UNDP ROUNDTABLE, WHICH HE SAID ARE ASSISTING RWANDA TO ADDRESS UNDERLYING PROBLEMS. MUTIMURA MENTIONED SUPPORT FOR THE INTERNATIONAL TRIBUNE AS A HIGH PRIORITY. HE ENDED BY AGAIN THANKING THE U.S. FOR BRINGING UP THE PROBLEM OF THE AGENDA, ASSURED THE PREPCOM THAT RWANDA WOULD PARTICIPATE IN THE CONFERENCE, BUT STATED THAT RWANDA WANTED ISSUES

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PAGE 03 ADDIS 00798 02 OF 08 011151Z
THOSE OF BURUNDI.

6. AFTER STATEMENTS OF DISAPPROVAL FROM BURUNDI AND UGANDA AND AN EFFORT BY OAU A/SYG MAPURANGA TO SIDESTEP THE ISSUE, JOE FELLI, THE OAU REPRESENTATIVE IN KIGALI, SPOKE UP IN SUPPORT OF CONSIDERING THE RWANDAN REQUEST. MAPURANGA ASKED THE RWANDAN TO REVIEW THE AGENDA AND TO SUBMIT PROPOSED CHANGES TO THE OAU, BUT ASKED THAT RWANDA AVOID SUBSTANTIVE CHANGES TO THE ALREADY APPROVED AGENDA. JOE FELLI TOLD U.S. REP PRIVATELY THAT HE HAD SPOKEN WITH THE RWANDAN PRESIDENT AND SECRETARY GENERAL TWO DAYS BEFORE THIS MEETING AND THE ISSUE OF THE DISAGGREGATION OF RWANDA/BURUNDI ISSUES HAD BEEN RAISED AS A SERIOUS CONCERN - SERIOUS ENOUGH THAT FELLI IS CONCERNED THE RWANDANS MIGHT WALK OUT OF THE CONFERENCE IF ISSUES ARE POORLY HANDLED ON THE FLOOR IN BUJUMBURA. U.S. REP SPOKE WITH MAPURANGA AND UNHCR'S CHERIF AFTER THE MEETING, URGING THAT THIS ISSUE BE RESOLVED TO RWANDA'S SATISFACTION. BOTH REPRESENTATIVES APPEARED TO UNDERSTAND. U.S. REP WILL MEET WITH THE RWANDAN TO KEEP TABS ON THE RWANDA POSITION, AND TO OFFER SUPPORT IF NECESSARY.

PARTICIPANTS

7. THE PROVISIONAL LIST OF PARTICIPANTS IN THE PLENARY SESSION 15-17 FEBRUARY IS AS FOLLOWS:

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PAGE 04 ADDIS 00798 02 OF 08 011151Z

I. GOVERNMENTS IN THE SUB-REGION (MAX 5 PERSONS PER): BURUNDI, KENYA, RWANDA, TANZANIA, UGANDA, ZAIRE, ZAMBIA.

II. OBSERVERS TO THE ARUSHA PEACE PROCESS (MAX 5 PERSONS PER): BELGIUM, FRANCE, GERMANY, U.S.A.

III. MEMBER STATES ON THE OAU (REFUGEE) COMMISSION OF 20 (MAX 5 PERSONS PER AND TO BE FUNDED BY THE COUNTRY): ALGERIA, ANGOLA, CAMEROON, COTE D'IVOIRE, GABON, LIBYA, MALAWI, MALI, MOZAMBIQUE, NIGER, NIGERIA, SENEGAL, SUDAN, ZIMBABWE.

IV. CHAIRPERSONS OF THE OAU (PAST, PRESENT, AND FUTURE): EGYPT, TUNISIA, ETHIOPIA.

V. EXCOM MEMBERS (5 COUNTRIES ONLY WITH 5 PERSONS PER DELEGATION): ARGENTINA, CHINA, JAPAN, PAKISTAN.

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UNCLASSIFIED PTQ6869

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PAGE 01 ADDIS 00798 03 OF 08 011151Z
ACTION PRM-10

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INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
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SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

VI. DONOR COUNTRIES (MAX 5 PERSONS PER):
AUSTRALIA, BAHRAIN, CANADA, FINLAND, ITALY, IRELAND,
SWEDEN, NORWAY, UNITED KINGDOM, NETHERLANDS,
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PAGE 02 ADDIS 00798 03 OF 08 011151Z
SWITZERLAND, SPAIN, RUSSIAN FEDERATION, REPUBLIC OF
KOREA, SAUDI ARABIA, KUWAIT, GREECE, REPUBLIC OF
SOUTH AFRICA, EUROPEAN (UNION) COMMISSION.

VII. UN SYSTEM (MAX 3 PERSONS PER): UN SECRETARY
GENERAL, CHAIRMAN GENERAL ASSEMBLY, CHAIRMAN
SECURITY COUNCIL, HC HUMAN RIGHTS, SRSG BURUNDI,
SRSG RWANDA, DHA, UNDP, UNESCO, WFP, UNICEF, WHO,
WORLD BANK, UNAMIR, IFAD, UNFPA, FAO.

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VIII. OTHER AGENCIES (MAX 3 PERSON PER): ICRC, IOM, ADB, CEPGL, AND BADEA (THIS LATTER WAS PROPOSED BY SUDAN AND STRONGLY ENDORSED BY BURUNDI AND THE OAU, OVER FRANCE'S OBJECTIONS. U.S. REP MADE NO COMMENT AS THE REGIONAL REPS WERE ADAMANT).

IX. NGOS (MAX 3 PERSONS PER): ICVA, INTERACTION, AND 3 NGO REPRESENTATIVES FROM BURUNDI, RWANDA, TANZANIA, ZAIRE.

X. OAU: 24 STAFF MEMBERS.

XI: UNHCR: 14 STAFF MEMBERS.

XII. UNHCR HEADQUARTERS: THE HIGH COMMISSIONER, FOUINAT, K. MORJANE, P. BERTRAND, B. CHERIF, A. MAHIGA, L. FRANCH, TWO SECRETARIES.

XII. UNHCR FIELD: C. FAUBERT, H. EDONGO, R. URASA, CRISTOFFERSSON, S. PITTERMAN.

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PAGE 03 ADDIS 00798 03 OF 08 011151Z

UNHCR DRAFT PLAN OF ACTION

B. THE UNHCR HAS DRAFTED A PLAN OF ACTION AND PROGRAM OF ASSISTANCE WHICH WILL BE REVIEWED, DISCUSSED, AND REVISED THROUGH THE PERIOD UP TO THE MINISTERIAL IN BUJUMBURA.

BEGIN TEXT:

PLAN OF ACTION AND PROGRAMME OF ASSISTANCE TO REFUGEES, RETURNEES, AND DISPLACED PERSONS IN THE GREAT LAKES REGION

A. INTRODUCTION:

1. DURING THE SIXTIETH ORDINARY SESSION HELD IN

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TUNIS (TUNISIA) IN JUNE 1994, THE COUNCIL OF MINISTER OF THE ORGANIZATION OF AFRICAN UNITY (OAU) ADOPTED A RESOLUTION (CM/RES.1527 (XL)) URGING THE HOLDING OF A REGIONAL CONFERENCE ON ASSISTANCE TO REFUGEES, RETURNEES AND DISPLACED PERSONS IN THE GREAT LAKES REGION. THE RESOLUTION WAS FURTHER ENDORSED BY THE UNITED NATIONS GENERAL ASSEMBLY DURING ITS FORTY-NINTH ORDINARY SESSION THROUGH RESOLUTION A/RES.49/7.

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2. THE REGIONAL CONFERENCE HELD IN BUJUMBURA (BURUNDI) AT MINISTERIAL LEVEL FROM 15 TO 17 FEBRUARY 1995 DELIBERATED ON HUMANITARIAN ISSUES
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PAGE 04 ADDIS 00798 03 OF 08 011151Z
RELATED TO REFUGEES, RETURNEES AND DISPLACED PERSONS IN THE REGION. THE CONFERENCE ADOPTED THE FOLLOWING PLAN OF ACTION WHICH FOCUSES ON VOLUNTARY REPATRIATION AS THE MOST DURABLE SOLUTION TO THE REFUGEE SITUATION AS WELL AS THE RETURN OF INTERNALLY DISPLACED PERSONS TO THEIR PLACES OF HABITUAL RESIDENCE. IN THIS REGARD, THE PLAN SPELLS OUT THE RESPECTIVE ACTION TO BE UNDERTAKEN BY:

- (A) THE COUNTRIES OF ASYLUM,
- (B) THE COUNTRIES OF ORIGIN,
- (C) THE INTERNATIONAL COMMUNITY.

THE PLAN OF ACTION ALSO ADDRESSES THE ADVERSE CONSEQUENCES TO THE COUNTRIES OF ASYLUM OF HOSTING LARGE NUMBERS OF REFUGEES AND THE NEED FOR ALLEVIATING THE BURDEN BORNE BY THOSE COUNTRIES.

B. THE PRESENT SITUATION

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UNCLASSIFIED PTQ6865

PAGE 01 ADDIS 00798 04 OF 08 011152Z
ACTION PRM-10

INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
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INFO RWANDA COLLECTIVE PRIORITY

UNCLAS SECTION 04 OF 08 ADDIS ABABA 000798

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3. DURING AND AFTER THE CIVIL WAR IN RWANDA, NEARLY

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ONE MILLION PEOPLE WERE MASSACRED IN A CAMPAIGN OF
GENOCIDE. MORE THAN TWO MILLION RWANDESE TOOK
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PAGE 02 ADDIS 00798 04 OF 08 011152Z
REFUGE IN BURUNDI, TANZANIA, AND UGANDA. TAKING
INTO ACCOUNT PREVIOUS WAVES OF FORCED EXILE, THE
TOTAL NUMBER OF REFUGEES FROM RWANDA STOOD AT CLOSE
TO THREE MILLION PERSONS BY MID-1994. THE CIVIL WAR
IN RWANDA LEFT UP TO 800,000 PERSONS INTERNALLY
DISPLACED INSIDE RWANDA ESPECIALLY IN THE SOUTH-WEST
OF THE COUNTRY.

4. MOST OF THE 670,00 BURUNDI REFUGEES WHO HAD LEFT
THE COUNTRY FOLLOWING THE EVENTS OF OCTOBER 1993 HAD
RETURNED SPONTANEOUSLY BY MID-1994. THERE ARE ONLY
42,000 LEFT IN TANZANIA AND 136,000 IN ZAIRE. WHILE
MOST OF THE REFUGEES HAVE RETURNED, BURUNDI STILL
HAS A TOTAL OF 490,000 INTERNALLY DISPLACED PERSONS.
SOME OF THEM HAVE BEEN LEAVING TO GO TO TANZANIA AND
ZAIRE.

5. UPON THE INSTALLATION OF A NEW GOVERNMENT, SOME
MEASURES HAVE BEEN TAKEN TO CREATE CONDITIONS
CONDUCTIVE TO REPATRIATION. A BROAD-BASED GOVERNMENT
HAS BEEN ESTABLISHED WHICH HAS CONCENTRATED ITS
EFFORTS ON ENSURING PUBLIC SAFETY, RESTORING CIVIL
ADMINISTRATION, RECONSTRUCTING, LAYING THE
FOUNDATIONS OF DEMOCRATIC INSTITUTIONS AND RESPECT
FOR HUMAN RIGHTS. THE PRESENCE OF UNAMIR, HUMAN
RIGHTS MONITORS, AND VARIOUS REPRESENTATIVES OF THE
INTERNATIONAL COMMUNITY CONTRIBUTE TO CONFIDENCE
BUILDING MEASURES FOR RETURNEES. ALREADY 800,000
REFUGEES INCLUDING 200,000 WHO LEFT IN 1994 HAVE
RETURNED TO RWANDA.

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PAGE 03 ADDIS 00798 04 OF 08 011152Z

6. PRIOR TO THE OUTBREAK OF CIVIL WAR IN RWANDA IN APRIL 1994, OVER 80,000 RWANDESE REFUGEES LIVED IN UGANDA, HAVING FOUND ASYLUM IN THE SOUTHERN REGIONS OF THE COUNTRY FROM EARLIER CONFLICTS IN RWANDA. DURING THE WAR OF 1994, AN ADDITIONAL 15,000 ARRIVED IN UGANDA, BRINGING THE TOTAL TO NEARLY 100,000 RWANDESE REFUGEES IN UGANDA BY MAY 1994. HOWEVER, BY THE END OF DECEMBER 1994, ALL BUT 5,000 RWANDESE HAD DEPARTED UGANDA; THE MAJORITY SPONTANEOUSLY RETURNING TO RWANDA AND A MUCH SMALLER NUMBER SEEKING REFUGE IN OTHER COUNTRIES IN THE REGION.

7. THE SUDDEN AND MASSIVE INFLUXES OF REFUGEES TO NEIGHBORING COUNTRIES HAS IMPOSED SEVERE STRAINS ON THE GOVERNMENT'S RESOURCES, THE ENVIRONMENT, AND THE LOCAL POPULATIONS IN THE HOST COUNTRIES. THE UNEXPECTED ARRIVAL OF LARGE NUMBERS OF REFUGEES HAS OVER-STRETCHED SOCIAL SERVICES AND THE INFRASTRUCTURE OF THOSE COUNTRIES. THE REQUIREMENTS FOR SITES, FUEL, WATER, ETC. ARE DEPLETING NATURAL RESOURCES AND THREATENING THE ECOLOGY IN AND AROUND THE REFUGEE CAMPS. COMPETITION FOR RESOURCES WITH THE LOCAL POPULATION IS LEADING TO SOCIAL TENSIONS WITH POLITICAL OVERTONES.

C. GUIDING PRINCIPLES FOR THE PLAN OF ACTION

8. THE PROBLEMS OF REFUGEES, RETURNEES AND DISPLACED PERSONS SHOULD BE ADDRESSED ON A STRICTLY HUMANITARIAN AND NON-POLITICAL BASIS. IN THIS CONTEXT, STATES ARE GUIDED BY CONSIDERATIONS OF SOLIDARITY WITH THE INDIVIDUALS IN NEED AND THE

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PAGE 04 ADDIS 00798 04 OF 08 011152Z
SEARCH FOR HUMANE SOLUTIONS TO THEIR PROBLEMS.

9. THE INSTITUTION OF ASYLUM FOR REFUGEES AS ENSHRINED IN THE CONVENTION RELATING TO THE STATUS OF REFUGEES OF 1951 AND THE OAU CONVENTION GOVERNING THE SPECIFIC ASPECTS OF REFUGEE PROBLEMS IN AFRICA

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OF 1969 SHOULD BE UPHELD. THE FUNDAMENTAL
PRINCIPLES OF PROTECTION OF REFUGEES, HUMAN RIGHTS
AND ESPECIALLY THOSE OF NON-REFOULEMENT AND NON-
DISCRIMINATION OF REFUGEES SHOULD BE RESPECTED.

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10. REFUGEES ARE OBLIGED TO OBSERVE THE LAWS AND
REGULATIONS OF THE COUNTRY OF ASYLUM INCLUDING
LAWFUL MEASURES TAKEN FOR THE MAINTENANCE OF PUBLIC
ORDER AND TO ABSTAIN FROM ANY MILITARY OR SUBVERSIVE
ACTIVITIES AGAINST ANY OF THE MEMBER STATES OF THE
OAU. EQUALLY, REFUGEES AND HOST COUNTRIES ARE UNDER
OBLIGATION TO AVOID ANY ACTIVITY WHICH MIGHT AFFECT
THE STRICTLY CIVILIAN AND HUMANITARIAN NATURE OF
CAMPS AND SETTLEMENTS AND TO ABSTAIN FROM ANY

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UNCLASSIFIED PTQ6867

PAGE 01 ADDIS 00798 05 OF 08 011152Z
ACTION PRM-10

INFO	LOG-00	AF-01	AID-01	AMAD-01	CA-02	OASY-00	OIGO-01
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UNCLAS SECTION 05 OF 08 ADDIS ABABA 000798

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ACTIVITY INCOMPATIBLE WITH RELEVANT PRINCIPLES OF
INTERNATIONAL REFUGEE LAW.

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PAGE 02 ADDIS 00798 05 OF 08 011152Z

11. THE SAFETY OF REFUGEES AND ASYLUM SEEKERS IN
THE CAMPS AND SETTLEMENTS SHOULD BE ENSURED AND
GUARANTEED PARTICULARLY AGAINST MILITARY OR ARMED
ATTACKS. THE MEASURES SHOULD INCLUDE LOCATION OF
REFUGEE CAMPS AND SETTLEMENTS, WHENEVER POSSIBLE, AT
A REASONABLE DISTANCE FROM THE FRONTIER OF THE
COUNTRY OF ORIGIN.

12. ON REPATRIATION, THE FOLLOWING PRINCIPLES
SHOULD BE OBSERVED:

(A) THE RIGHT TO RETURN TO THE COUNTRY OF ORIGIN
AND TO DEPART SAFELY FROM THE COUNTRY OF ASYLUM;

(B) NON-DISCRIMINATION, IMPLYING EQUAL RIGHTS AND
TREATMENT FOR ALL INDIVIDUALS AND GROUPS WHO WISH TO
RETURN;

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(C) VOLUNTARINESS BASED ON INFORMED CONSENT THROUGH THE STRICT OBSERVANCE OF THE PRINCIPLE OF NON-REFOULEMENT AND ACCESS TO IMPARTIAL INFORMATION ON CONDITIONS IN THEIR HOME COUNTRY;

(D) EXCLUSION OF REFUGEES FALLING UNDER THE EXCLUSION CLAUSES OF THE 1951 UN REFUGEE CONVENTION AND/OR THE 1969 OAU REFUGEE CONVENTION, WHO UNDER CONDITIONS OF DUE PROCESS, MAY BE EXTRADITED;

(E) RETURN IN CONDITIONS OF SAFETY AND DIGNITY IMPLYING PHYSICAL SAFETY, DURING AND UPON RETURN IN HOME AREAS, TREATMENT IN ACCORDANCE WITH BASIC
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PAGE 03 ADDIS 00798 05 OF 08 011152Z
HUMANITARIAN STANDARDS AND FULL ACCESS TO UNHCR AND OTHER RELEVANT BODIES FOR THE SECURITY AND PROTECTION OF THE RETURNEES.

13. THE PRINCIPLE OF INTERNATIONAL SOLIDARITY AND BURDEN-SHARING IN PROVIDING PROTECTION AND ASSISTANCE TO REFUGEES, RETURNEES AND DISPLACED PERSONS SHOULD BE UPHELD. (SPECIAL CONSIDERATION SHOULD BE GIVEN TO THE UNPRECEDENTED RESPONSIBILITY THRUST ON COUNTRIES OF ASYLUM IN THE REGION.)

D. ACTION IN THE COUNTRIES OF ASYLUM

14. THE COUNTRIES OF ASYLUM IN COLLABORATION WITH THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AND WITH THE HELP OF THE INTERNATIONAL COMMUNITY SHOULD TAKE APPROPRIATE AND URGENT MEASURES TO DEPLOY SECURITY FORCES IN THE CAMPS TO RESTORE LAW AND ORDER WHICH WILL PERMIT THE FULFILLMENT OF THE FOLLOWING OBJECTIVES:

(A) UNIMPEDED AND FAIR DISTRIBUTION OF ASSISTANCE TO BONA FIDE BENEFICIARIES ESPECIALLY TO VULNERABLE GROUPS IN THE CAMPS. PERSONS WHO DO NOT QUALIFY FOR REFUGEE STATUS SHOULD NOT BENEFIT FROM HUMANITARIAN ASSISTANCE AND THOSE WHO ALREADY BENEFIT FROM IT

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SHOULD BE EXCLUDED;

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(B) PROTECTION OF INSTALLATIONS, FACILITIES AND
PROPERTY INTENDED FOR IMPLEMENTING HUMANITARIAN
ASSISTANCE IN REFUGEE AND RETURNEE CAMPS AND
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PAGE 04 ADDIS 00798 05 OF 08 011152Z
SETTLEMENTS;

(C) UNIMPEDED ACCESS BY UNHCR TO REFUGEES IN THE
DISCHARGE OF ITS MANDATE OF PROVIDING PROTECTION TO
REFUGEES AND RETURNEES;

(D) PROVIDE SECURITY TO ALL RELIEF WORKERS AND
THEIR PROPERTY WHO ARE INVOLVED IN THE DELIVERY OF
HUMANITARIAN ASSISTANCE IN FAVOUR OF REFUGEES,
RETURNEES, AND INTERNALLY DISPLACED PERSONS;

(E) ENSURE SECURITY TO REFUGEES WISHING TO
REPATRIATE, TO DEPART AND TRAVEL IN SAFETY TO THEIR
COUNTRY OF ORIGIN. IN THIS REGARD, SAFE CORRIDORS
SHOULD BE PROVIDED FROM REFUGEE CAMPS AND
SETTLEMENTS TO THE BORDERS OF THE COUNTRY OF ORIGIN.

15. CONCERNING REFUGEES WHO OPT NOT TO RETURN TO
THEIR COUNTRY OF ORIGIN FOR ONE REASON OR ANOTHER,
THE COUNTRIES OF ASYLUM SHOULD CONTINUE TO GRANT

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PAGE 01 ADDIS 00798 06 OF 08 011152Z
ACTION PRM-10

INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
TEDE-00 IO-14 ADS-00 SR-00 FMP-00 /030W
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P 011141Z FEB 95
FM AMEMBASSY ADDIS ABABA
TO SECSTATE WASHDC PRIORITY 0723
INFO RWANDA COLLECTIVE PRIORITY

UNCLAS SECTION 06 OF 08 ADDIS ABABA 000798

DEPT FOR PRM AND AF

DEPT PASS AID/AFR

GENEVA FOR RMA

ROME FOR FODAG

NAIROBI FOR REFCOORD

E.O. 12356: N/A
TAGS: PREF, RW, BY
SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

ASYLUM IN ACCORDANCE WITH INTERNATIONAL CONVENTIONS.
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PAGE 02 ADDIS 00798 06 OF 08 011152Z

E. ACTION IN THE COUNTRIES OF ORIGIN

RWANDA

16. THE OPERATIONALISATION OF THE INTERNATIONAL TRIBUNE FOR RWANDA SHOULD BE SPEEDILY EFFECTED. LIKEWISE, THE GOVERNMENT OF RWANDA SHOULD BE ASSISTED IN ESTABLISHING AN EFFECTIVE JUDICIAL SYSTEM AND LAW ENFORCEMENT INSTITUTIONS FOR THE ESTORATION OF JUSTICE AND THE ENHANCEMENT OF LAW AND ORDER IN THE COUNTRY.

17. FOLLOWING THE ESTABLISHMENT OF A BROAD-BASED GOVERNMENT IN RWANDA, ADDITIONAL CONFIDENCE BUILDING MEASURES IN THE SPIRIT OF THE ARUSHA ACCORD SHOULD BE EXPLORED TO ENCOURAGE VOLUNTARY REPATRIATION AND REINTEGRATION OF RETURNEES. THE MEASURES SHOULD INCLUDE:

(A) THE ESTABLISHMENT OF AN EFFECTIVE CIVILIAN ADMINISTRATION, AS WELL AS THE DEPLOYMENT OF HUMAN RIGHTS MONITORS, UNAMIR, UN ORGANIZATIONS INCLUDING UNHCR, ICRC, AND NGOS IN SELECTED RETURN AREAS;

(B) THE PROMOTION OF A CONFIDENCE BUILDING ATTITUDE OF THE ARMY AND THE TAKING UP OF APPROPRIATE MEASURES AGAINST SOLDIERS AND CIVILIANS TAKING JUSTICE INTO THEIR OWN HANDS;

(C) THE STRENGTHENING OF MECHANISMS TO GUARANTEE
UNCLASSIFIED

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PAGE 03 ADDIS 00798 06 OF 08 011152Z
PROPERTY RIGHTS TO RIGHTFUL OWNERS OF LAND AND
HOUSES;

(D) RAPID AND MASSIVE REHABILITATION, RECONSTRUCTION
AND DEVELOPMENT ASSISTANCE TO ENABLE THE COUNTRY TO

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RETURN TO NORMALCY AND TO ABSORB RETURNEES;

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(E) INITIATE A BROAD-BASED NATIONAL DEBATE AND DIALOGUE IN WHICH THE MAINSTREAM OF CIVIC ORGANIZATIONS AND POLITICAL FORCES NOT GUILTY OF GENOCIDE SHOULD PARTICIPATE IN ORDER TO INCREASE THE LEVEL OF PUBLIC CONFIDENCE;

(F) DISSEMINATE MASS FACTUAL INFORMATION TO COUNTER PROPAGANDA IN THE CAMPS AND TO PROVIDE ACCURATE INFORMATION TO ENABLE REFUGEES TO MAKE CHOICES ON REPATRIATION;

(G) SUPPORT EFFORTS TO RESETTLE AND REINTEGRATE DISPLACED PERSONS, WHICH IN TURN WILL FACILITATE THE RETURN OF REFUGEES;

(H) ESTABLISH TRANSIT POINTS TO FACILITATE ORDERLY REPATRIATION AND REINTEGRATION OF RETURNEES AND DISPLACED PERSONS;

(I) IMPLEMENT REPATRIATION ARRANGEMENTS IN ACCORDANCE WITH THE TRIPARTITE AGREEMENTS BETWEEN THE COUNTRIES OF ORIGIN, OF ASYLUM AND UNHCR.

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PAGE 04 ADDIS 00798 06 OF 08 011152Z

18. THE ON-GOING EFFORTS BY THE GOVERNMENT TO PURSUE INITIATIVES FOR PROMOTING NATIONAL RECONCILIATION SHOULD BE ENCOURAGED AND SUPPORTED BY THE INTERNATIONAL COMMUNITY THROUGH THE FOLLOWING ACTION:

(A) ORGANIZING NATIONAL DEBATE ON REBUILDING THE NATION TO WHICH ALL MAIN STREAM GROUPS SHOULD PARTICIPATE;

(B) TAKING FIRM ACTION TO IMPLEMENT MEASURES RECOMMENDED BY THE INTERNATIONAL INVESTIGATION COMMISSION AND THE REHABILITATION OF THE LAW SYSTEM.

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19. THE GOVERNMENT, WITH THE SUPPORT OF THE
INTERNATIONAL COMMUNITY, SHOULD ADDRESS CONCRETELY
THE PROBLEMS OF REFUGEES, RETURNEES AND DISPLACED
PERSONS THROUGH THE FOLLOWING ACTION:

(A) WORKING CLOSELY WITH UNHCR AND OTHER
INTERNATIONAL ORGANIZATIONS TO ENSURE PROTECTION AND

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PAGE 01 ADDIS 00798 07 OF 08 011152Z
ACTION PRM-10

INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
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TO SECSTATE WASHDC PRIORITY 0724
INFO RWANDA COLLECTIVE PRIORITY

UNCLAS SECTION 07 OF 08 ADDIS ABABA 000798

DEPT FOR PRM AND AF

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GENEVA FOR RMA

ROME FOR FODAG

NAIROBI FOR REFCOORD

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TAGS: PREF, RW, BY

SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

THE DELIVERY OF HUMANITARIAN ASSISTANCE TO REFUGEES
AND THE INTERNALLY DISPLACED;

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 ADDIS 00798 07 OF 08 011152Z

(B) ADOPT AND IMPLEMENT HUMANITARIAN ACTION
STRATEGIES AND CONFIDENCE BUILDING MEASURES TO AVERT
FURTHER DISPLACEMENTS OF PERSONS;

(C) PROMOTING CONDITIONS WHICH WOULD ENCOURAGE
RETURN OF REMAINING REFUGEES FROM NEIGHBOURING
COUNTRIES BY ADOPTING AND IMPLEMENTING "TRIPARTITE
AGREEMENTS" AND ESTABLISHING "CHAINS OF RETURN"
WHICH WILL FACILITATE GRADUAL AND INTEGRATED
REPATRIATION AND REINTEGRATION;

(D) PUT IN PLACE IN CONJUNCTION WITH UNHCR AN
INFORMATION SYSTEM WHICH WILL DISPEL RUMORS AND
ENABLE REFUGEES TO MAKE INFORMED CHOICES REGARDING
REPATRIATION;

(E) GIVING NECESSARY PRIORITY AND ADOPTING
APPROPRIATE MEASURES IN ADDRESSING THE PROBLEM OF
INTERNALLY DISPLACED PERSONS AND RETURNEES.

F. ACTION BY THE INTERNATIONAL COMMUNITY

20. THE STATES OF THE SUB-REGION, THE OAU AND THE
INTERNATIONAL COMMUNITY AS A WHOLE SHOULD ADOPT A
COMPREHENSIVE REGIONAL STRATEGY FOR PROVIDING

SUPPORT FOR HUMANITARIAN ACTION IN FAVOUR OF
REFUGEES, RETURNEES AND INTERNALLY DISPLACED PERSONS
PARTICULARLY IN THE SEARCH FOR DURABLE SOLUTIONS TO
THE PROBLEMS. IT SHOULD ALSO MOBILIZE RESOURCES TO
ASSIST THE COUNTRIES OF ASYLUM IN MITIGATING THE
ADVERSE CONSEQUENCES OF HOSTING LARGE NUMBERS OF
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PAGE 03 ADDIS 00798 07 OF 08 011152Z
REFUGEES AND INTERNALLY DISPLACED PERSONS IN THEIR
RESPECTIVE COUNTRIES. WHILE THE PECULIARITIES OF
EACH COUNTRY NEED TO BE RECOGNIZED, THE PROBLEM IS
INTERRELATED. THE INTERNATIONAL COMMUNITY SHOULD
TAKE ACTION ON THE FOLLOWING:

(A) PROVIDE SUPPORT TO NATIONAL INITIATIVES TO
PROMOTE CONDITIONS CONDUCIVE TO REPATRIATION, AND
REINTEGRATION OF RETURNEES AND THE INTERNALLY
DISPLACED PERSONS;

(B) ASSIST THE REINTEGRATION OF RETURNEES WHO HAVE
ALREADY REPATRIATED TO SETTLE. IN THE CASE OF
RWANDA, ASSIST THE RESETTLEMENT OF THE OLD CASELOAD
ON UNALLOCATED LAND IN ORDER TO MINIMIZE PROPERTY
DISPUTES;

(C) ENSURE CONTINUED INTERNATIONAL PRESENCE AND
MONITORING OF HUMAN RIGHTS AS A WAY OF BUILDING
CONFIDENCE IN THE COUNTRIES OF ORIGIN;

(D) THE COUNTRIES OF ASYLUM SHOULD EXTEND THE
NECESSARY ASSISTANCE TO THE INTERNATIONAL TRIBUNAL
ON RWANDA IN IMPLEMENTING ITS MANDATE ON THE
SUSPECTED PERPETRATORS OF GENOCIDE IN RWANDA;

(E) ONCE THE TRIBUNAL IS FULLY OPERATIONAL,
ENCOURAGE FURTHER MEASURES FOR PROMOTING A BROADER
NATIONAL DIALOGUE AND FACILITATING RECONCILIATION;

(F) MOBILIZE HUMANITARIAN ASSISTANCE IN FAVOUR OF
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PAGE 04 ADDIS 00798 07 OF 08 011152Z
REFUGEES AND INTERNALLY DISPLACED AND FOR
REINTEGRATION PROGRAMMES AS WELL AS RECONSTRUCTION
AND DEVELOPMENT IN COUNTRIES AFFECTED BY CIVIL
CONFLICTS.

21. THE CONFERENCE SHOULD ACKNOWLEDGE WITH
APPRECIATION THE ROLE OF THE COUNTRIES OF THE
REGION, THE OAU, THE UN AGENCIES, ICRC, AND NGOS AND
THE INTERNATIONAL COMMUNITY IN THE FOLLOWING AREAS;

(A) PROVIDING ASYLUM TO REFUGEES AND SEEKING
SOLUTIONS TO THE REFUGEES, RETURNEES AND INTERNALLY
DISPLACED PERSONS;

(B) INITIATING AND FACILITATING DIALOGUE AND
DELIBERATION ON HUMANITARIAN AND RELATED ISSUES;

(C) PROVIDING AND PARTICIPATING IN HUMANITARIAN
ACTION IN FAVOUR OF REFUGEES, RETURNEES, AND
INTERNALLY DISPLACED PERSONS;

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UNCLASSIFIED

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PAGE 01 ADDIS 00798 08 OF 08 011153Z
ACTION PRM-10

INFO LOG-00 AF-01 AID-01 AMAD-01 CA-02 OASY-00 OIGO-01
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TO SECSTATE WASHDC PRIORITY 0725
INFO RWANDA COLLECTIVE PRIORITY

UNCLAS SECTION 08 OF 08 ADDIS ABABA 000798

DEPT FOR PRM AND AF

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E.O. 12356: N/A
TAGS: PREF, RW, BY
SUBJECT: RWANDA/BURUNDI REGIONAL REFUGEE CONFERENCE

(D) MOBILIZING RESOURCES FOR HUMANITARIAN ACTION IN
FAVOUR OF REFUGEES, RETURNEES AND INTERNALLY
 UNCLASSIFIED

UNCLASSIFIED

PAGE 02 ADDIS 00798 08 OF 08 011153Z
DISPLACED PERSONS.

22. THE CONFERENCE SHOULD CONSIDER A FRAMEWORK FOR
EVALUATION AND FOLLOWING UP THE IMPLEMENTATION OF

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END TEXT

A PARALLEL NGO CONFERENCE/MORE REQUESTS FOR SEATS

9. SHELLEY PITTERMAN, UNHCR REP IN BUJUMBURA, TOLD THE PREPCOM THAT A GROUP OF 40-50 NGOS ARE PLANNING TO HOLD THEIR OWN CONFERENCE IN BUJUMBURA FEBRUARY 12-14. THE CONFERENCE IS BEING ORGANIZED BY "SYNERGIE AFRIQUE" AND THE BURUNDIAN LEAGUE OF HUMAN RIGHTS. SOME MEMBERS OF THE PREPCOM, TO INCLUDE THE FRENCH AMBASSADOR, WERE CONCERNED THAT THIS NGO CONFERENCE COULD BE DESIGNED TO INFLUENCE OR DISRUPT THE MAIN CONFERENCE. SUGGESTIONS THAT BURUNDI DISALLOW THIS NGO CONFERENCE WERE IGNORED BY THE OAU CHAIR. ACCORDING TO UNHCR'S CHERIF, UNHCR HAS RECEIVED MANY REQUESTS BY NGOS TO PARTICIPATE IN THE MAIN CONFERENCE, HOWEVER, THESE REQUESTS WERE TURNED DOWN.

10. BURUNDI INITIATED A REQUEST, SUPPORTED BY THE OAU, TO ALLOW SIX ACADEMICIANS KNOWN FAVORABLY TO BURUNDI - THREE FRENCH, ONE AMERICAN, ONE BELGIAN, AND ONE SWEDISH PROFESSORS - TO PARTICIPATE AS

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PAGE 03 ADDIS 00798 08 OF 08 011153Z
ACTIVE MEMBERS IN THE PREPCOM AND AT THE PLENARY.
THE U.S. AND FRANCE REMINDED THE COMMITTEE THAT THIS WAS TO BE A SOLUTIONS-ORIENTED CONFERENCE NOT AN ACADEMIC EXERCISE; SUCH EXPERTS WOULD BE MORE USEFUL AT THE UN CONFERENCE LATER ON. THERE ARE ALREADY TWO MANY PARTICIPANTS. THIS POSITION PREVAILED AND THE PROFESSORS WILL NOT BE INVITED.

COMMENT

11. PROGRESS IS BEING MADE IN DEVELOPING A PLAN OF

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ACTION. UNHCR'S DOCUMENT HAS LENT IMPETUS TO THE PROCESS. HOWEVER, WITH ONLY TEN DAYS REMAINING TO THE BEGINNING OF THE BUJUMBURA PREPCOM, TIME IS RUNNING SHORT TO SUBMIT INPUT TO THE PLAN OF ACTION. DESPITE THE LENGTH OF THE UNHCR DOCUMENT, EMBASSY ADDIS FELT ADDRESSEES MIGHT FIND IT USEFUL FOR FOCUSING COMMENTS.

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12. THE RWANDANS ARE STILL SENSITIVE ABOUT THIS CONFERENCE. KEEPING RWANDA ENGAGED IN THE DRAFTING OF THIS PLAN OF ACTION AND FINAL AGENDA WILL BE IMPORTANT IF RWANDA IS TO REMAIN AT THE CONFERENCE AND SUPPORT CONSENSUS SOLUTIONS. RWANDA HAS BEEN SENSITIZED TO THE NEED TO DEMONSTRATE ITS GOOD FAITH IN DIALOGUE WITH THE INTERNATIONAL COMMUNITY - THE TONE HAS DRAMATICALLY IMPROVED. HOWEVER, RWANDA STILL NEEDS TO DO SOME FENCE MENDING WITH ITS NEIGHBORS AND CERTAIN KEY DONORS - THERE WAS LITTLE

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UNCLASSIFIED

PAGE 04 ADDIS 00798 08 OF 08 011153Z
SYMPATHY EXPRESSED FOR RWANDAN POSITIONS AMONG PREPCOM MEMBERS. ANOTHER CONCERN IS THAT RWANDA, BURUNDI, ZAIRE, AND TANZANIA, DESPITE PROMISES, HAVE NOT SUGGESTED SOLUTIONS TO THE VARIOUS PROBLEMS IN THE REGION. EMBASSY UNDERSTANDS THESE KEY COUNTRIES ARE PREPARING DOCUMENTS IN THEIR RESPECTIVE CAPITALS, WHICH WILL BE SUBMITTED AT THE BUJUMBURA PREPCOM.

13. OAU AND UNHCR HAVE RECEIVED USDOLS 238,000 IN PLEDGES TO FUND THE CONFERENCE. USDOLS 50,000 ARE STILL REQUIRED, BUT APPARENTLY THE EU, GERMANY, NORWAY, AND SWEDEN HAVE INDICATED THEY WILL CONTRIBUTE. CANADA IS THE ONLY CONTRIBUTOR TO HAVE DEPOSITED A CHECK, AND THE OAU HAS MADE A PLEA FOR THE REST TO PAY UP.

14. MINIMIZE CONSIDERED. HICKS

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